

17436 Du 1943/13

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Anthony Lemus et al.

Serial No.: 10/002,038

Art Unit: 1743

Filed

: November 2, 2001

Examiner: Not Assigned

For

: VARIABLE RESISTANCE STERILIZATION PROCESS

CHALLENGE DEVICE AND METHOD

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231 on

A TOTAL SECTION OF THE PARTY OF

Andrew C. Farmer
(Name of applicant, assignee, or Registered Representative)

Commissioner for Patents Washington, D.C. 20231

### FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on March 28, 2002.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

 $\boxtimes$ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with T the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is

accompanied by one of:

Statement in Accordance with $\S 1.97$ (e)
(attached); or
Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).
$\square$ In accordance with §1.97(d), this Information
Disclosure Statement is being filed after the mailing date of
either a Final Action under §1.113 or a Notice of Allowance
under §1.311 but before the payment of the Issue Fee.
Applicant(s) hereby petition(s) for consideration of this
Information Disclosure Statement. Included are: Statement in
Accordance with §1.97(e) as set forth below and the fee of
\$180.00 as set forth in §1.17(p).
oxtimes Copies of each of the references listed on the
attached Form PTO-1449 are enclosed herewith.
Copies of references listed on the attached Form PTO
1449 are enclosed herewith EXCEPT THAT:
Tip die energed nerewien biedir inni.
☐ In view of the voluminous nature of references
[list as appropriate], and the likelihood that
these references are available to the Examiner,
copies are not enclosed herewith.
If any of the foregoing publications are not
available to the Examiner, Applicant will
endeavor to supply copies at the Examiner's
request.
- · · · · · · · · · · · · · · · · · · ·
$oxed{\boxtimes}$ There are no listed references which are not in the
English language.

☐ The relevance of those listed references which are
not in the English language is as follows:
Attached are copies of search report(s) from
corresponding patent application(s), which are listed on the
attached Submission Under MPEP 609 D.
Copies of the references listed on the search
report(s) are included except for those previously cited in an
IDS mailed March 28, 2002.
Attached are the following non-published pending
patent applications which may be deemed relevant, which are
listed on the attached Submission Under MPEP 609 D.
Please charge any deficiency or credit any overpayment to
Deposit Account No. 10-0750/ASP-46/ACF. This form is submitted
in triplicate.
Respectfully submitted,
Andrew C. Farmer
Reg. No. 35,868 Attorney for Applicants
Johnson & Johnson Plaza One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2825 DATED: A 5. 200 3

: Ay 5, 2003



# SUBMISSION UNDER MPEP 609 D

Application Number	10/002,038
Filing Date	November 2, 2001
First Named Inventor	A. Lemus
Group Art Unit	1743
Examiner Name	Not Assigned
Attorney Docket Number	ASP-46

Page 1 of 1

U.S. PATENT DOCUMENTS

		Name of Patentee or Applicant of Cited Document	U.S. Patent Docum		
Examiner Cite Initials No.1	1 1		Number	Kind Code <sup>2</sup> (if known)	Pages, Columns, Lines, where relevant passages or relevant figures appear
		RECEIVED			
		AUG 1 2 2003			
		TC 1700			
**********					

FOREIGN PATENT DOCUMENTS

		FOREIGI	PATENT	DOCUME	1413		
Examiner Initials	Cite No. <sup>1</sup>	Name of Patentee or Applicant of Cited Document	Foreign Pa	atent Docum	nent KindCode <sup>5</sup>	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
				<del> </del>		<u> </u>	
						ļ	
						<del> </del>	
				ļ			
		OTHER PRIOR ART - N					
Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published					T²		
		European Search Report EP 02257597	dated 02-24	-2003			
	-	,					
			<del></del>			<del></del>	
L		<u> </u>					

Examiner	Date	
Signature	Considered	

AUG O 8 7000 P. S. M. O. B. TORA TRADSdostitute

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

bstitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

valid OMB control number.
10/002,038
November 2, 2001
A. Lemus
1743
Not Assigned
ASP-46

	•			U.S. PATENT DOCUMENTS		
· · · · · · · · · · · · · · · · · · ·	Cite	U.S. Patent Document  Kind Code <sup>2</sup> Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication	Pages, Columns, Lines,
Examiner Initials					of Cited Document mm-dd-yyyy	where relevant passages or relevant figures appear
	ļ	6,156,267	Α	Pai	12-05-2000	
	ļ	<u></u>	<u> </u>			
	,					
						W - W - C
		RECEIVE	n			
		AUG 1 2 20	13			
	ļ	TC 170				W4-1-
		10				
	l					

#### **FOREIGN PATENT DOCUMENTS** Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or passages or relevant Examiner Cite T<sup>6</sup> mm-dd-yyyy Applicant of Cited Document figures appear Initials Number<sup>4</sup> KindCode<sup>5</sup> No.1 WO 97 12637 MINNESOTA MINING & MFG 04-10-1997 wo 01 13964 Α PROCESS CHALLENGE DEVICES 03-01-2001

7	 		_
Examiner	Date	1	
Examino	Date	1	
Cianotura	0	1	
olghalule	Lonsidered		
		<u> </u>	_
Signature	Considered		_

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.